

REMARKS

Applicants submit this Amendment After Final ("Amendment") in reply to the final Office Action mailed September 24, 2003.

In this Amendment, Applicants propose to amend claims 1, 22, and 33 to better define the present invention.

Before entry of this Amendment, claims 1-36 were pending in this application. After entry of this Amendment, claims 1-36 remain pending in this application.

The originally-filed specification, claims, abstract, and drawings fully support the amendments to claims 1, 22, and 33. No new matter was introduced.

Amendments to Claims 1, 22, and 33

Applicants submit that the proposed amendments to claims 1, 22, and 33 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the elements and their relationships claimed were either explicitly claimed or inherent in the claims as examined.

In particular, Applicants respectfully submit that originally-filed claims 1, 22, and 33 explicitly and inherently recited the subject matter of this Amendment. Prior to any amendment, originally-filed claims 1, 22, and 33 recited the support platform as moving in the Y-direction along the X-member and moving in the X-direction along the Y-member. Applicants merely propose to amend the claims to better define the claimed invention.

Accordingly, this Amendment After Final should allow for immediate action by the Examiner.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Rejections Under 35 U.S.C. §§ 102 and 103

In the Office Action, the Examiner rejected claims 1, 8, 10-12, 15, 16, 19-21, and 33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,040,431 to Sakino et al. ("Sakino"). Further, the Examiner rejected claims 2-7, 9, 13, 14, 17, 18, 22-32, and 34-36 under 35 U.S.C. § 103(a) as being unpatentable over Sakino in view of U.S. Patent No. 5,149,967 in view of Otaka ("Otaka").

In the Final Office Action, the Examiner states:

"Sakino et al. teach a positioning stage system and a method for positioning comprising a support platform (5), x-direction and y-direction linear motors (col. 1, lines 23-26), an x-member coupled to the x-direction linear motor and to the support platform to move the platform (5) in an x-direction along the y-member (4), wherein the y-member is coupled to the y-direction linear motor to support the platform to move in a y-direction along the x-member, and a slide attached to the support platform and slidably engaged with the x-member and the y-member wherein all three are configured to support the weight of the platform (col. 1, line 17 - col. 2, line 37, col. 3 line 60 - col. 4, line 25, and Fig. 1)."

Final Office Action, page 2. Additionally, the Examiner states,

"Applicant argues that X stage movable member and the support platform are not slidably engaged. However, mounting plate (51A), which can be viewed as part of the support platform, is engaged with X stage (5). This setup functions to guide movement of the X stage in the X-axis direction (col. 4, lines 26-42), thus achieving slidable engagement."

Final Office Action, page 5. Applicants respectfully disagree and submit that these rejections should be withdrawn for at least the following reasons.

First, Applicants respectfully disagree with Examiner's characterization that X stage member 5 can be construed as corresponding to both the platform and the X-member of claims 1, 22, and 33. As recited in the claims, the platform is slidably engaged with the X-member. For

this reason, Applicants respectfully submit that the X stage member 5 of Sakino cannot be construed as both the platform and X-member. Even if the Examiner construes mounting plate 51A as part of the support platform, the mounting plate 51A is not slidably engaged with the X stage member 5, but rigidly connected to it. See Sakino, Figs. 1 and 2, and col. 4, lines 27-30 (disclosing, “The X stage 5 has ends in the Y-axis direction to which two hydrostatic gas or air bearing mounting plates 51a and 51b are fixed, respectively.”) Applicants’ emphasis added. Accordingly, if the mounting plate 51A is fixed to X stage member 5, the mounting plate 51A is not slidably engaged with X stage member 5.

Second, even assuming Examiner’s arguendo that X stage member 5 can be construed as both the platform and X-member, Sakino does not teach, disclose, or suggest the platform as moving in the Y-direction along the X-member, as recited in the pending claims. Based on a fair reading of the claims, Applicants submit that if the platform moves in the Y-direction along the X-member, the platform must have at least one degree of freedom with respect to the X-member and cannot be rigidly fixed to the X-member in the Y-direction. If the Examiner construes X stage member 5 as corresponding to both the platform and the X-member of the present claims, Applicants strain to see how X stage member 5 can slide on and move along X stage member.

Third, Applicants respectfully submit that X-stage member 5 of Sakino is not slidably engaged with both a Y-member and an X-member, as recited in the pending claims.

Additionally, Otaka fails to overcome the above-noted deficiencies of Sakino and is not relied upon by the Examiner for any such teaching. Accordingly, Applicants submit that the rejections based on Otaka should also be withdrawn.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

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Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

For at least these reasons, Applicants respectfully request that the rejection of amended claims 1, 22, and 33—and claims 2-21, 23-32, and 34-36, which depend therefrom—be withdrawn.

Summary

In summary, Applicants submit that none of the cited references, including Sakino, Otaka, or any other art of record, taken alone or in any proper combination, teaches or suggests Applicants' claimed invention.

Applicants respectfully request that this Amendment After Final under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-36 in condition for allowance. Applicants submit that the proposed amendments to claims 1, 22, and 33 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the elements and their relationships claimed were either explicitly claimed or inherent in the claims as examined. Therefore, this Amendment After Final should allow for immediate action by the Examiner.

Finally, Applicants submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

The Examiner is invited to call the undersigned at (202) 408-4157 if the Examiner deems that a telephone conversation would further the prosecution of the application.

In view of the foregoing amendments and remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment After Final, the Examiner's reconsideration and reexamination of this application, and the timely allowance of the pending claims.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP


1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 24, 2004

By: 
Michael L. Woods
Reg. No. 50,811

Attachments: Replacement Drawing Sheets (5 pages, Figs. 1-9)

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

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Washington, DC 20005
202.408.4000
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